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The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Letter dated 30 June from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

Upon instructions, I wish urgently to call your attention to a recent statement by the Israeli Attorney General, Mr. Eliyakim Rubinstein, regarding the applicability of Security Council resolution 242 (1967).

In a legal opinion issued on 29 June 2000, the Israeli Attorney General stated that United Nations resolutions calling for the withdrawal of Israel from occupied territories — namely, Security Council resolutions 242 (1967) and 338 (1973) — are not applicable to the West Bank, including East Jerusalem, and the Gaza Strip. Other Israeli officials have expressed similar positions in this regard.

The Palestinian side maintains that such positions represent a gross violation of international law and the principle of inadmissibility of acquisition of territory by war, which is one of the basic tenets of resolution 242 (1967). In addition, I wish to highlight article I of the Declaration of Principles on Interim Self-Government Arrangements, which was signed by the Government of Israel and the Palestine Liberation Organization on 13 September 1993 in Washington, D.C. Article I clearly defines the "Aim of the negotiations" between the two sides in the peace process as follows:

> "The aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, the elected Council (the "Council"), for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security

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Council resolutions 242 (1967) and 338 (1973). It is understood that the interim arrangements are an integral part of the whole peace process and that the negotiations on the permanent status will lead to the implementation of Security Council resolutions 242 (1967) and 338 (1973)."

This specific aim and principle was repeatedly reaffirmed in subsequent agreements reached by the two sides. Accordingly, the recently declared Israeli position represents a complete departure from the very principles upon which the peace process was established. Such a position clearly constitutes a gross violation of the agreements reached and a serious threat to the integrity and continuity of this peace process.

We hold the Israeli side totally responsible for the destructive impact that such dramatic positions could have on the Palestinian-Israeli peace process, and we demand full compliance by Israel with international law and the agreements reached, particularly the implementation of Security Council resolutions 242 (1967) and 338 (1973).

I would be grateful if you would arrange to have the text of this letter distributed as a document of the General Assembly, under items 43, 44 and 89, and of the Security Council.

(*Signed*) Feda Abdelhady **Nasser**
Chargé d'affaires a.i.